

# Daily Digest

## HIGHLIGHTS

Senate passed S. 5, Class Action Fairness Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S1219–S1310*

**Measures Introduced:** Twenty-eight bills and three resolutions were introduced, as follows: S. 341–368, S. J. Res. 3, and S. Res. 47–48. **Pages S1259–60**

#### Measures Reported:

S. 288, to extend Federal funding for operation of State high risk health insurance pools, with an amendment in the nature of a substitute.

S. 306, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with an amendment in the nature of a substitute. **Page S1259**

#### Measures Passed:

**Class Action Fairness Act:** By 72 yeas to 26 nays (Vote No. 9), Senate passed S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, after taking action on the following amendments proposed thereto: **Pages S1225–52**

#### Rejected:

By 37 yeas to 61 nays (Vote No. 8), Feingold Amendment No. 12, to establish time limits for action by Federal district courts on motions to remand cases that have been removed to Federal court. **Pages S1225, S1232**

#### Withdrawn:

Durbin (Modified) Amendment No. 3, to preserve State court procedures for handling mass actions. **Page S1225**

**National School Counseling Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 37, designating the week of February 7 through February 11, 2005, as “National School Counseling Week”, and the resolution was then agreed to. **Pages S1308–09**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing that at 12 noon on Monday, February 14, 2005, the Senate begin con-

sideration of the nomination of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security, and that the nomination be debated for up to 6 hours; that at 2:15 p.m., on Tuesday, February 15, 2005, Senate resume consideration of the nomination, that the time until 4 p.m. be equally divided for debate, and that at 4 p.m., the Senate then proceed to a vote on the nomination. **Page S1309**

#### Appointments:

**United States Holocaust Memorial Council:** The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to Public Law 96–388, as amended by Public Law 97–84, and Public Law 106–292, appointed the following Senators to the United States Holocaust Memorial Council for the 109th Congress: Senators Hatch, Collins, and Coleman. **Page S1309**

**United States-China Economic Security Review Commission:** The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission:

Thomas Donnelly, of Maryland, for a term expiring December 31, 2006. **Page S1309**

**Nominations Confirmed:** Senate confirmed the following nomination:

Allen Weinstein, of Maryland, to be Archivist of the United States. **Page S1310**

**Nominations Received:** Senate received the following nomination:

Robert B. Zoellick, of Virginia, to be Deputy Secretary of State. **Page S1310**

#### Executive Communications:

**Pages S1258–59**

Executive Reports of Committees:	Page S1259
Additional Cosponsors:	Page S1261
Statements on Introduced Bills/Resolutions:	Pages S1261–S1308
Additional Statements:	Pages S1257–58
Authority for Committees to Meet:	Page S1308
Privilege of the Floor:	Page S1308
Record Votes: Two record votes were taken today. (Total—9)	Pages S1232, S1249

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 4:57 p.m., until 12 noon, on Monday, February 14, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page S1309.)

## Committee Meetings

(Committees not listed did not meet)

### BUDGET: DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Committee concluded a hearing to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program, after receiving testimony from General Peter J. Schoomaker, USA, Chief of Staff, United States Army; Admiral Vernon E. Clark, USN, Chief of Naval Operations; General Michael W. Hagee, USMC, Commandant of the Marine Corps; and General John P. Jumper, USAF, Chief of Staff, United States Air Force.

### MORTGAGE MARKET

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the role of government-sponsored enterprises in the mortgage market, focusing on promoting affordable housing and homeownership opportunities for low- and moderate-income Americans, after receiving testimony from John C. Weicher, Assistant Secretary of Housing and Urban Development, Federal Housing Commissioner; Allen J. Fishbein, Consumer Federation of America, and Richard K. Green, George Washington University School of Business, both of Washington, D.C.; Anthony B. Sanders, The Ohio State University Fisher College of Business, Columbus; and Susan M. Wachter, University of Pennsylvania Wharton School, Philadelphia.

### 2006 BUDGET

*Committee on the Budget:* Committee held a hearing to examine the President's proposed budget for fiscal year 2006, after receiving testimony from John W. Snow, Secretary of the Treasury.

## TSUNAMI RESPONSE

*Committee on Foreign Relations:* Committee concluded a hearing to examine lessons learned regarding the tsunami response, focusing on inquiries from American citizens, coordinating government-wide mechanisms, and engaging the international community, after receiving testimony from Senator Frist; Alan Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; Paul Wolfowitz, Deputy Secretary of Defense; Andrew S. Natsios, Administrator, U.S. Agency for International Development; Daniel Toole, United Nations Children's Fund (UNICEF), New York, New York; and Mary E. McClymont, InterAction, and Nancy Lindborg, Mercy Corps, both of Washington, D.C.

## NEW HUMAN RESOURCES SYSTEM

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine the new human resources system of the Department of Homeland Security, focusing on unlocking the potential of employees, pay and performance management, adverse actions and appeals, and labor-management relations, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Ronald J. James, Chief Human Capital Officer, Department of Homeland Security; Ronald P. Sanders, Associate Director for Strategic Human Resources Policy, Office of Personnel Management; and Darryl A. Perkinson, Federal Managers Association, Colleen M. Kelley, National Treasury Employees Union, John Gage, American Federation of Government Employees, AFL–CIO, Richard N. Brown, National Federation of Federal Employees, and Kim Mann, National Association of Agriculture Employees, all of Washington, D.C.

## BANKRUPTCY REFORM

*Committee on the Judiciary:* Committee concluded a hearing to examine bankruptcy reform, focusing on S. 256, to amend title 11 of the United States Code, after receiving testimony from Kenneth H. Beine, Shoreline Credit Union, Two Rivers, Wisconsin, on behalf of the Credit Union National Association; Maria T. Vullo, Paul, Weiss, Rifkind, Wharton and Garrison, LLP, New York, New York; Malcolm Bennett, International Realty and Investments, Inc., Los Angeles, California, on behalf of National Multi Housing Council and National Apartment Association; Phillip L. Strauss, National Child Support Enforcement Association, San Francisco, California; David McCall, United Steelworkers of America, AFL–CIO, Columbus, Ohio; R. Michael Stewart